

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TELLY ROYSTER,	:	
	:	
Petitioner,	:	CIVIL ACTION NO. 19-2126
	:	
v.	:	
	:	
LAWRENCE MAHALLY; THE	:	
DISTRICT ATTORNEY OF THE	:	
COUNTY OF PHILA.; and THE	:	
ATTORNEY GENERAL OF THE STATE	:	
OF PENNSYLVANIA,	:	
	:	
Respondents.	:	

**ORDER**

**AND NOW**, this 14th day of December, 2022, after considering the petition for a writ of habeas corpus under 28 U.S.C. § 2254 filed by the *pro se* petitioner, Telly Royster (Doc. No. 2), the report and recommendation filed by United States Magistrate Judge Timothy R. Rice (Doc. No. 8), and the petitioner's objections to the report and recommendation (Doc. No. 16); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The petitioner's objections to the report and recommendation (Doc. No. 16) are **OVERRULED**;
2. The Honorable Timothy R. Rice's report and recommendation (Doc. No. 8) is **APPROVED** and **ADOPTED**. It is also **SUPPLEMENTED** by this court's analysis in the separately filed memorandum opinion;
3. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. No. 2) is **DENIED WITH PREJUDICE**;
4. The court **DECLINES** to issue a certificate of appealability; and

5. The clerk of court shall **MARK** this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith  
EDWARD G. SMITH, J.